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TRADE AND DEVELOPMENT BOARD
Commission on Investment, Technology
and Related Financial Issues
Expert Meeting on Existing Agreements on Investment
and their Development Dimensions
Geneva, 28-30 May 1997
Item 2 of the provisional agenda

PROVISIONAL AGENDA AND ANNOTATIONS

I. Provisional agenda

1. Election of officers

2. Adoption of the agenda

3. Examine and review existing agreements on investment and their development dimensions in pursuance of the mandate of paragraph 89 (b) of "A Partnership for Growth and Development"

4. Adoption of the report.

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II. Annotations to the provisional agenda

Item 1 - Election of officers

1. It is recommended that the Expert Meeting elect a Chairman and a Vice-Chairman-cum-Rapporteur.

Item 2 - Adoption of the agenda

2. The provisional agenda for the Meeting is in section I above. The schedule of meetings for the three days is attached to this document.

Documentation

TD/B/COM 2/EM.1/1 Provisional agenda and annotations

Item 3 - Examine and review existing agreements on investment and their development dimensions in pursuance of the mandate of paragraph 89 (b) of "A Partnership for Growth and Development"

3. The Commission on Investment, Technology and Related Financial Issues, at its first session (November 1996/January 1997), decided to convene "a meeting to examine and review existing agreements on investment, taking into account the interests of developing countries, and bearing in mind the work undertaken by other organizations, in pursuance of the mandate of paragraph 89 (b) of 'A Partnership for Growth and Development' to identify and analyze implications for development of issues relevant to a possible multilateral framework on investment".

4. Agreements on investment exist at the bilateral, regional and multilateral levels. The number of such agreements has increased steadily over the past half-century. Taken together, they cover a wide range of issues and reflect the changing perceptions and trends in this area. Moreover, a number of initiatives taken recently have placed issues relating to foreign direct investment high on the international economic policy agenda, raising the possibility of increased international cooperation in this area.

5. As a step towards a broader discussion of issues relevant to a possible multilateral framework on investment (MFI), the present Meeting of Experts is invited to focus on bilateral investment treaties (BITs), since the issues covered in BITs, the ways in which these issues are dealt with, and the impact

of BITS, are directly pertinent to discussions on a possible MFI. More specifically, experts may wish to explore (a) the nature and implications of BITs; (b) the range of issues that is addressed by these treaties; (c) the extent to which the development dimension is taken into account; and, above all, (d) the extent to which issues arising in the context of BITs are relevant to a possible MFI.

6. To assist the experts, the secretariat has prepared an issues paper which draws on a larger study entitled Bilateral Investment Treaties in the 1990s. In addition, countries have also been invited to prepare country papers on the above-mentioned issues and questions. The broader context in which these discussions take place is laid out in the World Investment Report, 1996: Investment, Trade and International Policy Instruments, Part Three; and relevant international investment instruments are contained in International Investment Instruments: A Compendium.

Documentation

TD/B/COM.2/EM.1/2	Bilateral investment treaties and their relevance to a possible multilateral framework on investment: issues and questions - Note by the UNCTAD secretariat

Item 4 - Adoption of the report of the meeting

7. The Expert Meeting may wish to adopt recommendations, if it deems necessary, at the end of the Meeting. The final report will be compiled under the authority of the Chairman after the conclusion of the Meeting.

Timetable

Meeting of Experts on Existing International Investment Agreements and their Implications for Development

(28 - 30 May 1997)

Wednesday 28/5	Thursday 29/5	Friday 30/5
10 a.m. Plenary Opening of the Meeting by Director 1. Election of officers 2. Adoption of agenda **Followed by** Informals: Item 3 - Examine and review existing international investment agreements and their implications for development in pursuance of par. 89 (b)	10 a.m. Informals: Item 3 - (continued) C. *Experience with the application of BITs*	10 a.m. Informals (cont.): *E. The development dimension*
3 p.m. Informals: Item 3 - (continued) A*: Reasons for concluding BITs, and* *B. Issues addressed by BITs*	3 p.m. Informals: Item 3 - (continued) *D. Role of BITs in the development of national law and standards of international law*	Informals (cont.): Consideration of possible outcome Plenary (closing) Adoption of outcome